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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA

8 RAMBUS, INC.,

No. C 08-3343 SI

9 Plaintiff,

**ORDER ADJUSTING DISCLOSURE AND
MARKMAN SCHEDULE**

10 v.

11 NVIDIA CORPORATION,

12 Defendant.
13 _____/

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15 Rambus has filed a motion “to compel NVIDIA to provide its Patent Local Rule 4-1 submission
16 [list of claim terms to be construed] NVIDIA failed to provide by the Court-ordered deadline.” Docket
17 No. 243. Not to be outdone, NVIDIA has filed a motion “to modify Patent Local Rules schedule.”
18 Docket No. 247. Both motions seek an expedited briefing and hearing schedule.

19 The dispute centers on the consequences of Special Master Judge Edward Infante’s August 24,
20 2011 discovery order. In that order, Judge Infante held that Rambus’s infringement contentions did not
21 comply with Patent Local Rule 3-1, and he ordered Rambus to provide an amended disclosure of
22 asserted claims and infringement contentions by September 9, 2011. Judge Infante also stayed all
23 infringement-related discovery until five days after Rambus’s filing of its amended disclosure. *See*
24 Docket No. 241 at 18:20-26.

25 The parties dispute whether Judge Infante’s August 24, 2011 order does or should impact the
26 existing schedule for disclosures and *Markman* dates. The Court finds that the most efficient course is
27 to adjust the existing schedule by a few weeks, to accommodate the short delay occasioned by
28 compliance with Judge Infante’s order. Accordingly, the schedule set out in this Court’s June 28, 2011

minute order is amended as follows:

Serve amended invalidity contentions, if necessary	was 8/12/11	now 9/30/11
Exchange proposed terms and claim elements	was 8/26/11	now 10/14/11
Exchange preliminary claim construction and extrinsic evidence	was 9/16/11	now 11/4/11
Joint claim construction and prehearing statement	was 10/11/11	now 12/2/11
Complete claim construction discovery	was 11/10/11	now 1/13/12
Rambus' opening claim construction brief	was 12/1/11	now 2/3/12
NVIDIA's claim construction brief	was 12/15/11	now 2/17/12
Rambus' reply claim construction brief	was 12/22/11	now 2/24/12
Claim construction hearing	was 1/11/12	now 3/7/12 at 3:30 p.m.

This order resolves Docket Nos. 243 and 247. The parties need not, and shall not, file any further briefing directed to these competing motions.¹

IT IS SO ORDERED.

Dated: August 31, 2011


SUSAN ILLSTON
United States District Judge

¹ The Court believes that the parties should have been able to resolve this relatively innocuous dispute without resort to the kind of motion practice engaged in here.